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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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**SANTO LANZAFAME in his fiduciary
capacity as a Trustee for the Pointers,
Cleaners & Caulkers Welfare, Pension &
Annuity Funds, and as President of the
Bricklayers and Allied Craftworkers
Local Union No. 1, B.A.C.I.U., AFL-CIO,**

Plaintiffs,

- against -

**L & M LARJO CO. INC., L&M LARJO
CO., INC., and JEFFREY M. SCHWARTZ,**

Defendants.
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GERSHON, United States District Judge:

No objections have been filed to the April 14, 2006 Report and Recommendation of Magistrate Judge Kiyo A. Matsumoto. The Court adopts the Report and Recommendation in its entirety. Accordingly, the Clerk of Court is directed to issue an injunction requiring that defendant submit all outstanding remittance reports, books, and records for inspection and audit within 15 days from the date of entry of this Court's order. Plaintiff's request for further injunctive relief is denied. The Clerk of Court is also directed to award plaintiff damages as follows:

- (a) \$269,222.52 in unpaid fringe benefit contributions;
- (b) \$171,242.42 in interest on these unpaid contributions;
- (c) \$171,242.42 in liquidated damages;
- (d) \$22,282.14 in interest on late contributions paid prior to the commencement of

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★ SEP 26 2006 ★

BROOKLYN OFFICE

ORDER

03 CV 3640 (NG)(KAM)

this action;

- (e) \$9,575.25 in liquidated damages on late contributions paid prior to the commencement of this action;
- (f) \$11,711.54 in interest on late contributions paid after the commencement of this action;
- (g) \$11,711.54 in liquidated damages on late contributions paid after the commencement of this action;
- (h) \$10,455.84 in unpaid dues;
- (i) \$6,482.48 in interest on unpaid dues;
- (j) \$1,496.60 in interest on late dues paid prior to the commencement of this action;
- (k) \$882.70 in interest on late dues paid after the commencement of this action;
- (l) \$4,001.50 in attorneys' fees;
- (m) \$2,587.50 in audit fees; and
- (n) \$528.80 in costs,

for a total monetary award of \$693,423.25.

SO ORDERED.

/s/(NG)

NINA GERSHON
United States District Judge

Dated:

September 15, 2006
Brooklyn, New York